السياسة الشرعية في إصلاح الراعي و الرعية

From the Book: 'Governance According to Allah's Law in Reforming the Ruler and his Flock'

The Religious and Moral Doctrine of Jihaad



Shaykh ul-Islaam
Taqi-ud-Deen Ahmad ibn Taymiyyah

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'Governance According to Allaah's Law in Reforming the Ruler and his Flock'

by Shaykh ul-Islaam
Taqi ud-Deen Ahmad ibn Taymiyyah

The Author

Taqi ud-Deen Abu-l-'Abbas Ahmad ibn 'Abd al-Haleem ibn 'Abd as-Salam ibn Taymiyyah al-Harrani al-Hanbali, was born on Monday the 10th of Rabi' al-Awwal 66l H./22nd of January 1263 C.E. at Harran. His father fled with his family from Harran to Damascus in the year 667 H. /1268 C.E. out of fear of the Tartars who invaded the land of Islaam and were very close to *Harran*. In Damascus, the centre of Islaamic studies at that time, Ahmad ibn Taymiyyah followed in the footsteps of his father who was a scholar of Islaamic studies by studying with the great scholars of his time, among them four women including *Zainab bint al-Makki* who taught him hadeeth.

He completed his studies when he was a teenager and at the age of nineteen he became a teacher of Islamic doctrines. He was well versed in Quraanic studies, hadeeth, fiqh, theology, Arabic grammar and scholastic theology. He started giving fataawa on religious legal matters without following any of the traditional legal schools. He defended the sound prophetic traditions by arguments, which, although taken from the Quraan and the Sunnah, had hitherto been unfamiliar to people of his time.

This was a time when the entire world of Islaam was trembling with fright as an imminent target of Tartar oppression. Iraq, Iran, and Khurasaan continued to be despotically ruled by the Tartars. The Mamluke Turks ruled Egypt, Sudan, Syria, and Hijaz. Simultaneously, a large Christian evangelical movement was mounting to censure Islaam. The crusaders were incessantly attacking Palestine and the European Christians residing in Syria and Cyprus had become emboldened to criticize the prophethood of Rasoolullah ρ, compose works on the alleged truthfulness of Christianity, and to invite theological debate.

Ibn Taymiyyah responded at every possible level. He fought heretical innovations in religion which were wide spread during his time all over the Muslim world, especially certain acts and beliefs of some Sufi orders, like saint worship and visiting saints' tombs seeking help from them, his refutations on shirk and bid`ah caused him to be persecuted by the authorities whose leaders were under the influence of certain scholars.

Ibn Taymiyyah's fight was not limited to the people who followed the heretical innovations; in addition, he fought against the Tartars who attacked the Muslim world and almost reached Damascus. The people of Syria sent him to Egypt to urge the Mamluke Sultan, the Sultan of Egypt and Syria to lead his troops to Syria to save it from the invading Tartars. When he realized that the Sultan was hesitant to do what he asked of him, he threatened the Sultan by saying: "If you turn your back on Syria we will appoint a Sultan over it who can defend it and enjoy it at the time of peace".

He was present at the battle of Shaqhab near Damascus against the Tartars which took place during the fasting month of Ramadhaan and gave a fatwa to the army to break their fast in order to help them against their enemy, as the Prophet Muhammad ρ did during the battle of the liberation of Makkah. The Muslims won the battle against the Tartars and drove them away from Damascus and all Syria.

In 699 AH, when the Egyptian army was unsuccessful in holding of the Tartar army from Damascus, almost all of the inhabitants of the city had fled and so the few remaining patricians of the city, among them Ibn Taymiyyah, decided to meet the Tartar king and ask for the peace of the city.

Not one of the 'ulamaa dared to say anything to the king except Ibn Taymiyyah. While the others trembled in his

presence and would not dare to speak out, Ibn Taymiyyah was uninhibited and strongly defended truth and justice.

One of his companions in the delegation recounts Ibn Taymiyyah's courage: “I was with the Shaykh on this occasion. He set forth in his address to the King the Quraanic verses and *ahadeeth* enjoining fairness and just conduct. His voice gradually rising, he was drawing nearer to the king until his knees were about to touch those of Qazaan who was attentively listening to the Shaykh but didn't appear to be displeased with him. He was straining his ears as if struck with awe. At last he asked, ‘Who is he? I have never seen a man like him - so brave and courageous; none has made a dent in my heart as he!’ The Shaykh was then introduced to the King. The Shaykh said to the King:

‘You claim to be a Muslim. I have been told that you have with you a Qaadhi (judge) and an Imam, a Shaykh and a mu’adhdhin (caller to prayer); yet you have deemed it proper to march upon Muslims. Your forefathers were heathens, but they always abstained from breaking the promise once made by them. They redeemed the pledges they made, but you violate the word of honour given by you. You trample underfoot your solemn declarations in order to lay a hand on the servants of Allaah!’”[1]

Ibn Taymiyyah often used to say: ‘Only he fears who has a sickness of heart.’[2]

Ibn Taymiyyah’s participation in Jihaad against the enemies of Islaam did not soften his opponents. His daring and progressive opinions on many legal and social issues angered

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[1] al-Kawaakib ud-Durriyah, p. 25

[2] Abul Hasan an-Nadwi, Saviors of Islamic Spirit, p. 31

his opponents, the authorities imprisoned him many times during his lifetime and even his death was in imprisonment.

However when Ibn Taymiyyah had the chance to punish his opponents who caused him all kinds of trouble and imprisoned many times, he showed the utmost of magnanimity and forgave them. When the Sultan an-Nasser Ibn Qalawoon gave him the chance to do so. He said: “If you kill them you will never find scholars like them.” The Sultan said: “They harmed you many times and wanted to kill you!” Ibn Taymiyyah said: “Whoever harmed me is absolved, and who harmed the cause of Allaah and His Messenger, Allaah will punish him.”[3]

Whilst in prison he completed 80 recitals of the Quran and wrote several books and treatises. When the authorities confiscated paper and writing materials from him he wrote with charcoal on any loose sheets of paper he could find. He completed a 40-volume tafseer called al-Bahr al-Muheet. He wrote in total over 500 books according to Imam adh-Dhahabi, most of them in prison.

The Muslim scholars and historians, like Ibn al-Qayyim, adh-Dhahabi, Ibn Katheer, Ibn al-‘Imad al-Hanbali and many others praised Ibn Taymiyyah and considered him one of the greatest scholars of Islaam of all time.

He was given the title Shaykh ul-Islaam and his numerous fataawa[4]are a vast source of inspiration and Islaamic legal opinion. In particular, his verdicts with regards to Jihaad and against whom it must be carried out are filled with a sea of Islaamic knowledge that outlines fighting not only the enemy aggressor, but also the apostates and even those who

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[3] Abu Zahra, p.62

[4] Collected together in Majmoo’a al-Fataawa and al-Fataawa al-Kubraa

oppose clear-cut rulings of Islaam, despite their claims to be Muslim.

Ibn Taymiyyah died in jail in Damascus on the night of Sunday-Monday 20th *Dhu-l-Qa'dah* 728 H./26-27 September 1328 C.E. It is estimated that a train of 60,000 to 100,000 people, of which at least 15.000 were women, joined the funeral procession.

The Role of Shaykh ul-Islaam Ibn Taymiyyah in Jihaad Against the Tartars

Ibn Taymiyyah's most significant achievement in his life was his Jihaad against the Tartars after he unmasked the corruptions in their beliefs and their deceptive claims of embracing Islaam. At that time, the Tartars were the greatest danger facing the whole Muslim nation. They had the largest military power and the most terrible warfare.

He was not satisfied with addressing the princes and leaders only, but he also addressed the public and gave fatwas (religious verdict) necessitating the defending of Islaam against its enemy, the Tartars. He held that the protection of Islaam should be the primary objective of all Muslims and the condition to complete their faith.

His first letter of Jihaad that was addressed to the public stated the following:

“After Bismillah ar-Rahman ar-Raheem , To whom ever this reaches from the faithful and the Muslims, may Allaah have mercy upon them in this life and the Hereafter. May He grant them perceived and concealed blessings, and may He grant them the dignified victory and great triumphs. Peace and blessing of Allaah be with you all. We praise Allaah Almighty on your behalf, the One and Only God, the All-Capable.”

He then started his letter by classifying the kuffar into a number of categories. He said that the first group of kuffar are the original kuffars , e.g. the Christians, Armenians, and the like. With this group, it is permissible to hold peace agreements with, eat from their food (that has been slaughtered by them), marry from their women, can be

released if they fell as fell as prisoners of war, and their women are not to be killed unless they were fighting.

The second group consists of *murtaddoon* (apostates) who return to their infidel ways, like some Arab tribes, Persians, and Romans. These murtaddoon are worse than the original kuffar. Therefore, fighting them is obligatory if they do not return to Islaam and no peace agreement nor covenant of security can be given to them. Their prisoners are not to be released, their food is not to be eaten, the Muslim man can not marry their women, and they are all to be fought and killed.

The third group consists of those who claim to belong to Islaam, but do not perform the Islaamic duties and practices, such as salaah, zakaah, hajj, nor do they carry out Jihaad or take *jiziyah* (tributes) from the People of the Book and the Sabbians, nor do they cease from killing Muslims and taking their money. This group, under the consensus opinion of Muslims, must be fought in the same way that Abu Bakr as-Sideeq (τ) fought the people who refused to pay zakat. Some of them are worse than kuffaar, even if they prayed and fasted such as the khawaarij who Ali (τ) fought and the Prophet (ρ) foretold about them: *"they are the most evil of people amongst Allaah's creation."* And non of the companions or their successors disagree about the necessity to fighting them.

As for the fourth group, they are the most evil of all the groups. They are a group that rejected Islaam while still claiming to belong to it. They are infidels, who reverted from Islaam because they entered Islaam without following its Shari'ah. It is agreed upon, that they should be fought totally until they return to practice the fundamentals of Islaam and to prevent *fitnah* so that the religion (worship) will all be for

Allaah Alone.

All these conditions are to be applied to them in their homelands. If they invaded the lands of Muslims and attack them for no other reason than to inflict injustice and injury upon the Muslim nation?

أَلا تُقَاتِلُونَ قَوْمًا نَكَثُوا أَيْمَانَهُمْ وَهَمُّوا بِإِخْرَاجِ الرَّسُولِ وَهُمْ بَدَءُوكُمْ أَوَّلَ مَرَّةٍ أَتَخْشَوْنَهُمْ فَاللَّهُ أَحَقُّ أَنْ تَخْشَوْهُ إِنْ كُنتُمْ مُؤْمِنِينَ

"Will you not fight a people who have violated their oaths (pagans of Makkah) **and intended to expel the Messenger, while they did attack you first? Do you fear them? Allaah has more right that you should fear Him, if you are believers."**[5]

This verse clearly illustrates the truth about the Tartars and their contemporary sect, the *Baatiniyyah*[6], and others who tried to corrupt the creed of Islaam.

Following these words, Ibn Taymiyyah began to show the merits of the Mujahideen, and the virtues of Jihaad in the cause of Allaah. He explained that Jihaad will be ongoing till the day of judgment, by using the following authentic hadeeth as a proof:

لا تَزَالُ عِصَابَةٌ مِنْ أُمَّتِي يُقَاتِلُونَ عَلَى أَمْرِ اللَّهِ قَاهِرِينَ لِعَدُوِّهِمْ لا يَضُرُّهُمْ مَنْ خَالَفَهُمْ حَتَّى تَأْتِيَهُم السَّاعَة وَهُمْ عَلَى ذَلِكَ

5 Surah at-Tawbah: 13

6 Heretical sect who kept 'hidden' the true nature of their beliefs. Sideing with the enemies of Islaam they sought to propagate their creed based on Magian doctrines and Platonic concepts.

"There will always remain a group of people from my nation fighting upon the truth. Subjugating their enemies They will never be agonised by those who disagree with them until the Final Hour is upon them."[7] And Ibn Taymiyyah regarded those people to be the Mujahideen of Shaam.[8]

Ibn Taymiyyah then narrated the different *Ahadeeth*[9] and *Ayaat*[10]showing the importance of Jihaad and the inevitable victory of the Muslims. He then started mentioning those faithful groups (*mu'minoon*), and their role at his time. There is the *at-taai'fah al-mansourah*[11](the Victorious Group), the Mujahideen warriors. He proved that there is nothing higher in status than Jihaad and no rank can rise above the level of Mujahideen and Martyrs in the path of Allaah.

He concluded his message and soon after that, he took the responsibility to training the armies and to organise the Mujahideen groups. He was responsible for raids against the Tartar military camps. He also attacked the region where the The Baatiniyyah people in the mountains of Shaam resided, because they betrayed the Muslims and secretly cooperated with the enemies of Islaam, the Tartars and the Crusaders. Although the Baatini sect succeeded in deceiving Ibn Taymiyyah when they pretended to repent and abandon their

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7 Saheeh Muslim

8 Present day Syria, Jordan, Palestine and Lebanon.

9 Plural of hadeeth – Prophetic sayings

10 Plural of Aayah – Quraanic verses

11 Based upon the hadeeth of the Messenger of Allaah ρ:

لا تَزَالُ طَائِفَةٌ مِنْ أُمَّتِي مَنْصُورِينَ لا يَضُرُّهُمْ مَنْ خَذَلَهُمْ حَتَّى تَقُومَ السَّاعَةُ

"There will always be a group of my nation victorious upon the truth, those who abandon them will not harm them until the Hour (Day of Judgement)."

Related by Tirmidhi, Ibn Maajah, Ahmad and others with different words.

crooked creed and beliefs, it was later proven to him that they used *taqqiyyah* (calculated deception), and that they remained on their strong animosity to Islaam and Muslims. He did not hesitate to fight and hound them, and passed *fataawa* exposing their hidden beliefs and called for the necessity to fight them.

Ibn Taymiyyah also partnered Sultan an-Nasser Ibn Qalawoon in his war against Qazaan who claimed to be Muslim and named him self Mahmood. It was proven to Ibn Taymiyyah other wise, because Qazaan refused to completely uphold Islaamic Shari'ah and he disrespected Allaah's laws. He governed the Islaamic country by the book of *al-Yaasiq* which was a mixture of laws from Christianity, Judaism, Islaam and the laws of Jengiz Khan himself. He discarded the laws that was sent down to the Muslims in the Qur'an and the Sunnah.

In the year 702 after hijrah , the news of the return of the Tartars to Shaam spread. Ibn Taymiyyah made haste to the sultan in Egypt seeking his help against the danger of the Tartars and their monstrosities which they were so famous for, especially when the rulers of Halab (*Allepo)* and *Hama* abandoned their cities and escaped to *Damascus*. By the time the Tartars reached *Hims* and *Ba'albek*, Ibn Taymiyyah recruited the remains of the army that left *Hama* and the other cities. He united the army and started the march to *Damascus* to be at the forefront of the ranks, until the armies of the Khaleefah al-Mustakfi and Sultan an-Nasser Ibn Qalawoon reached Damascus. On Saturday, the second of Ramadhaan, the Muslim army was complete, and the organisation for the battle had begun outside Damascus to safeguard the city from any damage. The site of the battle was in *Marj as-Safar*.

When the Tartars heard of their massing, they made haste to meet them outside Damascus. Hence the first plan of Ibn Taymiyyah was successful in that he distracted the Tartars from further damaging the city as the Tatar's first concern was to destroy the army of the Muslims, leaving the city unmolested.

The two armies then met, each had in mind the destruction of the other, and the battle started at once. It was Dhuhur time and the Muslims in that army were fasting that day, every one of them wishing from Allaah either *Shahaadah* (martyrdom)or victory. In their minds are the Prophet companions (ψ) and their righteous successors. Their intentions were to defend Islaam and to destroy the Tatarian enemy once and for all, making sure they never return to the land of Islaam with their corruption, unlike the first time when the Tartars regrouped themselves after their defeat in the battle of *'Ain Jaloot*[12] and returned to attack the land of the Muslims.

Therefore, the main worry of the Khaleefah and the Sultan was to destroy the Tartars and eliminate their danger once and for all. When the Tartars saw the Muslims apparent devotion and commitment to war, all their numbers came down to the battle, displaying their machinery and armour. They were the bounty of the Muslims by the end of the day.

With this battle, the Khaleefah once again re-established his role as the leader of the Muslims, and so did the Sultan. While Shaykh ul-Islaam delivered his role as the advisor. He was at the head of the army, sharpening the Muslims

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[12] *lit*. The Spring of Goliath – Historic battle where the Mongols were routed by the Mamlukes under the command of Saif ud-Deen Qutuz, thus smashing the notion of their invincibility and leading to their decline and eventual assimilation with Islaam and the Muslims

purpose, while on the other hand he would fight the enemy courageously, sending them reeling back to their homes. When the army saw their Khaleefah, Sultan and Imam at the head of their ranks, they started to crush the Tartars, eliminating their danger and ridding the Muslims from their threat. Consequently, they left the enemy no hope to ever return to the land of Islaam. The battle of Shaqhab was the last battle ever between the Tartars and the Muslim.

This battle had a fundamental role in Ibn Taymiyyah's reply to the cowardly Murji'ah, Sufis, and others who tried to hinder and discourage the resolution of the Muslims. They either tried to scare the Muslims by exaggerating the might and strength of the enemy, or they used to proclaim that the Tartars were Muslims, and hence, an excuse not to fight them.

Ibn Taymiyyah's response to the Muslims who were deceived by what was said about the prohibition of fighting the Tartars, was his statement: "If you find me in the ranks of the Tartars then kill me!"

His response on the battlefield was clearer in that he started fighting the Tartars, hence leaving no room for the Muslims who were deceived or had a second thought about the right decision in fighting their enemy.

“…And what can my enemies do to me: for my imprisonment is meditation and my killing is martyrdom and expelling me from my residence is but a vacation…”

Ibn Taymiyyah

Publisher's Forward

إن الحمد لله نحمده و نستعينه و نستغفره و نعوذ بالله من شرور أنفسنا و من سيآت أعمالنا من يهديه الله فلا مضل له و من يضلل فلا هادي له و أشهد أن لآ إله إلا الله وحده لا شريك له و أشهد أن محمدا عبده و رسوله بلغ الرسالة و أداء الأمانة و نصح الأمة و جاهد في الله حق جهاده و تركنا صل الله عليه و سلم علىمحجة البيضاء ليلها كنهارها لا يزيغ عنها إلا هالك.

Indeed all praise is due to Allaah. We praise Him and seek His aid and seek His forgiveness and we seek refuge in Him from the evil that is within ourselves and from the evil consequenses of our sinful actions. Whomsoever Allaah guides there is none that can lead (him) astray, and whomsoever Allaah leads astray, there is none that guide (him). I bear witness that there is no deity worthy of worship except Allaah Alone, he has no partners, and I bear witness that Muhammad is His servant and Messenger, who conveyed the Message (of Islaam) and discharged the Trust (from Allaah) and advised the nation (of Muslims) and fought in the way of Allaah as he ought to have. And he left us, may the prayers and peace of Allaah be upon him, upon the clear path – the day of it is like the night of it, none turns away from it except that he is destroyed.

This book is a translation of a section from the chapter entitled *"Jihaad al-Kuffaar: Al-Qitaal al-Faasil*[13]*"* from the

[13] Jihaad against the disbelievers: The Decisive Fight

book entitled *"As-siyaasah as-shar'iyyah fee islaah ar-raa'ee wal ra'iyyah*[14]*"* by Imaam Ibn Taymiyyah.

It was written specifically as a guideline for the governance of Muslim lands and those who ruled them, detailing evidence from the Book of Allaah Y, the Sunnah of His Messenger ρ and the concensus of the first community of Muslims ψ.

The Book was based on the verse from the Quraan in Surah an-Nisaa directed at the rulers:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الأَمَانَاتِ إِلَى أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا (58) يَاأَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُوْلِي الأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلا (59)

"Indeed Allaah commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which Allaah instructs you. Indeed Allaah is All-Hearing and All-Seeing. O you who believe! Obey Allaah and obey the Messenger (Mohammad ρ) **and those of you** (Muslims) **who are in authority. And if you differ in anything amongst yourselves, refer it back to Allaah and His Messenger, if you believe in Allaah and the Last Day. That is better and more suitable for the final determination**[15]

[14] Governance According to Allaah's Law in Reforming the Ruler and his Flock

[15] Surah an-Nisaa: 58-59

The scholars have stated that the first verse was written with regards to those in authority, in order for them to correctly discharge their trusts to whom they were due, and that when they judge between men that they do so with justice and equality.

The second of the two verses refers to the commanders of armies and others that they should obey Muslim rulers in authority (who govern by the Shari'ah and protect the Muslim lands), fulfil their pledges to them, accept their rulings in warfare and so on – excpet in disobedience to Allaah Y, and if they were ordered to disobey Allaah Y then the words of the Messenger of Allaah ρ remind us:

لا طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ اللَّهِ عَزَّ وَجَلَّ

"There is no obedience to creation in disobediance of Allaah, the Mighty and the Sublime."[16]

We ask Allaah Y to aid His religion with His angels in formated ranks in order to bring victory to His warriors with whom He is pleased and they are pleased with Him. So that the religion is all for Him and that there is justice and tranquility everywhere, and His name is made Supreme in the heavens and in the earth.

Abu Umamah – 1421 A.H.

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[16][16] Narrated by 'Umraan ibn Husayn τ – Recorded by Ahmad

The Religious and Moral Doctrine of Jihaad

The penalties that the Shari'ah has introduced for those who disobey Allaah Y and His Messengers are of two kinds:

1. The punishment of those who are under the sway [of the imam], both individuals and collectives, as has been mentioned before [in the chapter on criminal law],

2. The punishment of recalcitrant groups, such as those that can only be brought under the sway of the Imam by a decisive fight. That then is the Jihaad against the unbelievers (kuffaar), the enemies of Allaah Y and His Messenger. For whoever has heard the summons of the Messenger of Allaah ρ, and has not responded to it, must be fought

وَقَاتِلُوهُمْ حَتَّى لا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ لِلَّهِ

"...until there is no more fitnah and the religion is entirely for Allaah."[17]

When Allaah Y sent His Prophet ρ and ordered him to summon the people to His religion, He did not permit him to kill or fight anyone for that reason before the Prophet ρ emigrated to Madeenah.

Thereafter, He Y gave him and the Muslims permission with the words:

أُذِنَ لِلَّذِينَ يُقَاتَلُونَ بِأَنَّهُمْ ظُلِمُوا وَإِنَّ اللَّهَ عَلَى نَصْرِهِمْ لَقَدِيرٌ (39) الَّذِينَ أُخْرِجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلا أَنْ يَقُولُوا رَبُّنَا اللَّهُ وَلَوْلا دَفْعُ اللَّهِ النَّاسَ

[17] Surah al-Baqarah:193, Surah al-Anfaal:39

بَعْضَهُمْ بِبَعْضٍ لَهُدِّمَتْ صَوَامِعُ وَبِيَعٌ وَصَلَوَاتٌ وَمَسَاجِدُ يُذْكَرُ فِيهَا اسْمُ اللَّهِ كَثِيرًا وَلَيَنصُرَنَّ اللَّهُ مَنْ يَنصُرُهُ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ
(40) الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الأَرْضِ أَقَامُوا الصَّلاةَ وَآتَوْا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنْ الْمُنْكَرِ وَلِلَّهِ عَاقِبَةُ الامُورِ(41)

"Permission is given to those who are fought because they were wronged - indeed Allaah is able to help them - who were expelled from their habitations without right, except that they say 'Our Lord is Allaah.' For had it not been that Allaah checks one set of people by means of another, monasteries, churches, synagogues and mosques, wherein the Name of Allaah is mentioned much, would surely have been pulled down. Assuredly Allaah will help him who helps (His cause) **- Indeed Allaah is All-Strong, All-Mighty – Those (Muslim rulers) who, if We give them power in the land, establish the prayer, and pay the Zakaah, and enjoin good and forbid evil; and unto Allaah belongs the issue of all affairs."**[18]

Then, after that, He Y imposed fighting to them with the following words:

كُتِبَ عَلَيْكُمْ الْقِتَالُ وَهُوَ كُرْهٌ لَكُمْ وَعَسَى أَنْ تَكْرَهُوا شَيْئًا وَهُوَ خَيْرٌ لَكُمْ وَعَسَى أَنْ تُحِبُّوا شَيْئًا وَهُوَ شَرٌّ لَكُمْ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لا تَعْلَمُونَ (216)

"Fighting is prescribed for you, though it be hateful to you. Yet it may happen that you will hate a thing that is better for you; and it may happen that you love a thing that is worse for you. Allaah knows and you know not."[19]

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[18] Surah al-Hajj: 39-41
[19] Surah al-Baqarah: 216

He has emphasized this command and glorified Jihaad in many of the Madinan chapters. He has criticized those who fail to participate in it and called them hypocrites and sick in their hearts. Allaah Y has said:

قُلْ إِنْ كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِنُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لا يَهْدِي الْقَوْمَ الْفَاسِقِينَ (24)

"Say: 'If your fathers, and your sons, and your brothers, and your wives, and your clan, and your wealth that you have gained, and the commerce you fear may decline, and the dwellings that you love - are dearer to you than Allaah and His Messenger and Jihaad in His way, then wait till Allaah brings His command (punishment); Allaah guides not the rebellious.'"[20]

And:

إِنَّمَا الْمُؤْمِنُونَ الَّذِينَ آمَنُوا بِاللَّهِ وَرَسُولِهِ ثُمَّ لَمْ يَرْتَابُوا وَجَاهَدُوا بِأَمْوَالِهِمْ وَأَنفُسِهِمْ فِي سَبِيلِ اللَّهِ أُوْلَئِكَ هُمْ الصَّادِقُونَ (15)

"Only those are the believers who have believed in Allaah and His Messenger, then have not doubted, and have made Jihaad with their possessions and their selves in the way of Allaah; those - they are the truthful."[21]

And:

[20] Surah at-Tawbah; 24
[21] Surah al-Hujaraat: 15

فَإِذَا أُنزِلَتْ سُورَةٌ مُحْكَمَةٌ وَذُكِرَ فِيهَا الْقِتَالُ رَأَيْتَ الَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ يَنظُرُونَ إِلَيْكَ نَظَرَ الْمَغْشِيِّ عَلَيْهِ مِنْ الْمَوْتِ فَأَوْلَى لَهُمْ (20) طَاعَةٌ وَقَوْلٌ مَعْرُوفٌ فَإِذَا عَزَمَ الأَمْرُ فَلَوْ صَدَقُوا اللَّهَ لَكَانَ خَيْرًا لَهُمْ (21)

“Then, when a clear surah is sent down, and therein fighting is mentioned, you see those in whose heart is sickness looking at you as one who faints of death; but better for them would be obedience and words honourable. Then when the matter is resolved, if they were true to Allaah, it would be better for them.”[22]

There are numerous similar verses in the Quraan and equally frequent is the glorification of Jihaad and those who participate in it, [for instance] in Surah ‘the Ranks’:

يَاأَيُّهَا الَّذِينَ آمَنُوا هَلْ أَدُلُّكُمْ عَلَى تِجَارَةٍ تُنجِيكُمْ مِنْ عَذَابٍ أَلِيمٍ (10) تُؤْمِنُونَ بِاللَّهِ وَرَسُولِهِ وَتُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِكُمْ وَأَنفُسِكُمْ ذَلِكُمْ خَيْرٌ لَكُمْ إِنْ كُنتُمْ تَعْلَمُونَ (11) يَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَيُدْخِلْكُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الأَنْهَارُ وَمَسَاكِنَ طَيِّبَةً فِي جَنَّاتِ عَدْنٍ ذَلِكَ الْفَوْزُ الْعَظِيمُ (12) وَأُخْرَى تُحِبُّونَهَا نَصْرٌ مِنَ اللَّهِ وَفَتْحٌ قَرِيبٌ وَبَشِّرْ الْمُؤْمِنِينَ (13)

“O You who believe, shall I direct you to a commerce that shall deliver you from a painful torment? That you believe in Allaah and His Messenger, and make Jihaad in the way of Allaah with your wealth and your lives. That is better for you, if you but knew. He will forgive you your sins and admit you into gardens underneath which rivers flow, and to dwelling places goodly in Gardens of Eden; that is the supreme success; and other things you love,

[22] Surah Muhammad: 20-21

help from Allaah and victory is near. And give good tidings to the believers."[23]

And [elsewhere] He Y has said:

أَجَعَلْتُمْ سِقَايَةَ الْحَاجِّ وَعِمَارَةَ الْمَسْجِدِ الْحَرَامِ كَمَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الآخِرِ وَجَاهَدَ فِي سَبِيلِ اللَّهِ لا يَسْتَوُونَ عِنْدَ اللَّهِ وَاللَّهُ لا يَهْدِي الْقَوْمَ الظَّالِمِينَ (19) الَّذِينَ آمَنُوا وَهَاجَرُوا وَجَاهَدُوا فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنفُسِهِمْ أَعْظَمُ دَرَجَةً عِنْدَ اللَّهِ وَأُوْلَئِكَ هُمْ الْفَائِزُونَ (20) يُبَشِّرُهُمْ رَبُّهُمْ بِرَحْمَةٍ مِنْهُ وَرِضْوَانٍ وَجَنَّاتٍ لَهُمْ فِيهَا نَعِيمٌ مُقِيمٌ (21) خَالِدِينَ فِيهَا أَبَدًا إِنَّ اللَّهَ عِنْدَهُ أَجْرٌ عَظِيمٌ (22)

"Do you reckon the giving of water to pilgrims and taking care of the Holy Mosque as the same as one who believes in Allaah and the Last Day and makes Jihaad in the way of Allaah? Not equal are they in Allaah's sight; and Allaah guides not the evildoers. Those who believe, and have emigrated, and have made Jihaad in way of Allaah with their wealth and their lives are mightier in rank with Allaah; and those - they are the triumphant; their Lord gives them good tidings of mercy from Him and good pleasure; for them await gardens wherein is lasting bliss, therein to dwell for eternity; surely with Allaah is a great reward."[24]

And:

يَاأَيُّهَا الَّذِينَ آمَنُوا مَنْ يَرْتَدَّ مِنْكُمْ عَنْ دِينِهِ فَسَوْفَ يَأْتِي اللَّهُ بِقَوْمٍ يُحِبُّهُمْ وَيُحِبُّونَهُ أَذِلَّةٍ عَلَى الْمُؤْمِنِينَ أَعِزَّةٍ عَلَى الْكَافِرِينَ يُجَاهِدُونَ فِي سَبِيلِ اللَّهِ وَلا يَخَافُونَ لَوْمَةَ لائِمٍ ذَلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ (54)

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[23] Surah as-Saff: 10-13

[24] Surah at-Tawbah: 19-21

“O You who believe, whosoever of you turns from his religion, Allaah will assuredly bring a people He loves, and who love Him, humble towards the believers, stern towards the unbelievers, fighting in the path of Allaah, not fearing the blame of any blamer. That is Allaah’s bounty; He gives it unto whom He will.”[25]

And He Y has said:

ذَلِكَ بِأَنَّهُمْ لا يُصِيبُهُمْ ظَمَأٌ وَلا نَصَبٌ وَلا مَخْمَصَةٌ فِي سَبِيلِ اللَّهِ وَلا يَطَئُونَ مَوْطِئًا يَغِيظُ الْكُفَّارَ وَلا يَنَالُونَ مِنْ عَدُوٍّ نَيْلًا إِلا كُتِبَ لَهُمْ بِهِ عَمَلٌ صَالِحٌ إِنَّ اللَّهَ لا يُضِيعُ أَجْرَ الْمُحْسِنِينَ
(120) وَلا يُنفِقُونَ نَفَقَةً صَغِيرَةً وَلا كَبِيرَةً وَلا يَقْطَعُونَ وَادِيًا إِلا كُتِبَ لَهُمْ لِيَجْزِيَهُمْ اللَّهُ أَحْسَنَمَا كَانُوا يَعْمَلُونَ (121)

“That is because they are smitten neither by thirst, nor fatigue, nor emptiness in the way of Allaah, neither tread they any tread enraging the unbelievers, nor gain any gain from any enemy, but a righteous deed is thereby written to their account; Allaah leaves not to waste the wage of the good-doers. Nor do they expend any sum, small or great, nor do they traverse any valley, but it is written to their account, that Allaah may recompense them the best of what they were doing.”[26]

Thus He has mentioned [the reward] resulting from their deeds and the deeds they must practice.

The command to participate in Jihaad and the mention of its merits occur innumerable times in the Quraan and the

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[25]Surah al-Maaidah: 54

[26] Surah at-Tawbah: 120-121

Sunnah. Therefore, it is the best voluntary [religious] act that man can perform. All scholars agree that it is better than the hajj (greater pilgrimage) and the ‘umrah (lesser pilgrimage), than voluntary salaah and voluntary fasting, as the Quraan and the Sunnah indicate.

The Prophet ρ has said:

رَأسُ الأمْرِ الإِسْلامُ وَعَمُودُهُ الصَّلاةُ وَذِرْوَةُ سَنَامِهِ الْجِهَادُ

“The head of the affair is Islaam, its central pillar is the salaat and the summit is the Jihaad.”[27]

And he (ρ) has said:

إِنَّ فِي الْجَنَّةِ مِائَةَ دَرَجَةٍ أَعَدَّهَا اللَّهُ لِلْمُجَاهِدِينَ فِي سَبِيلِ اللَّهِ مَا بَيْنَ الدَّرَجَتَيْنِ كَمَا بَيْنَ السَّمَاءِ وَالأَرْضِ

“*In Paradise there are a hundred grades with intervals as wide as the distance between the sky and the earth. All these Allaah has prepared for those who take part in Jihaad.”*[28]

Al-Bukhaari has transmitted that he (ρ) has said:

مَنْ اغْبَرَّتْ قَدَمَاهُ فِي سَبِيلِ اللَّهِ حَرَّمَهُ اللَّهُ عَلَى النَّارِ

“He whose feet have become dusty in the way of Allaah [i.e. Jihaad] Allaah will save from hellfire.”

And, as related by Muslim, he (ρ) has said:

رِبَاطُ يَوْمٍ وَلَيْلَةٍ خَيْرٌ مِنْ صِيَامِ شَهْرٍ وَقِيَامِهِ وَإِنْ مَاتَ جَرَى عَلَيْهِ عَمَلُهُ الَّذِي كَانَ
يَعْمَلُهُ وَأُجْرِيَ
عَلَيْهِ رِزْقُهُ وَأَمِنَ الْفَتَّانَ

“A day and a night spent in ribaat [remaining at the frontiers of Islaam with the intention of defending Islaamic territory against the enemies] are better than one month

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[27] Collected by Ahmad and Tirmidhi.
[28] Agreed upon

spent in fasting and vigils. If he dies [in the fulfillment of this task], he will receive the recompense of his deeds and subsistence, and he will be protected from the Angel of the Grave."

It is related in the Sunan that:

رِبَاطُ يَوْمٍ فِي سَبِيلِ اللَّهِ خَيْرٌ مِنْ أَلْفِ يَوْمٍ فِيمَا سِوَاهُ مِنْ الْمَنَازِلِ

"A day spent in ribaat in the way of Allaah is better than thousand days spent elsewhere."[29]

He (ρ) has (also) said:

عَيْنَانِ لا تَمَسُّهُمَا النَّارُ عَيْنٌ بَكَتْ مِنْ خَشْيَةِ اللَّهِ وَعَيْنٌ بَاتَتْ تَحْرُسُ فِي سَبِيلِ اللَّهِ

"Two eyes will not be touched by the fire: the eye that has wept out of fear for Allaah and the eye that has spent the night on the watch in the way of Allaah." Al-Tirmidhi has said about this tradition that it is good (hasan).

In the Musnad of Ahmad ibn Hanbal we find:

حَرَسُ لَيْلَةٍ فِي سَبِيلِ اللَّهِ تَعَالَى أَفْضَلُ مِنْ أَلْفِ لَيْلَةٍ يُقَامُ لَيْلُهَا وَيُصَامُ نَهَارُهَا

"A night spent on the watch in the way of Allaah is better than a thousand nights and days spent in nightly vigils and fasting."

In the Saheeh of al-Bukhaari as well as the Saheeh of Muslim we find: *"A man said: 'O Messenger of Allaah, tell me of an act that equals Jihaad in the way of Allaah.' He answered: 'You will not be capable of it.' The man said: 'Tell me anyway.' The Messenger of Allaah said: 'Can you, when a Jihaad warrior has gone out on expedition, fast without interruption and spend the night in continuous prayer?' The*

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[29] Tirmidhi, Nisaai, Ahmad and Daarimi

man said: 'No.' Then the Messenger of Allaah said: 'This then is what equals Jihaad.'"

In the Sunan we find that Mohammad ρ has said:

إن لكل أمة سياحة و سياحة أمتي الجهاد في سبيل الله

"Indeed every nation has its' tourism and the tourism of my nation is Jihaad in the path of Allaah."[30]

This is a vast subject, unequalled by other subjects as far as the reward and merit of human deeds is concerned. This is evident upon closer examination.

The [first] reason is that the benefit of Jihaad is general, extending not only to the person who participates in it but also to others, both in a religious and a temporal sense. [Secondly,] Jihaad implies all kinds of worship, both in its inner and outer forms. More than any other act it implies love and devotion for Allaah Y, Who is exalted, trust in Him, the surrender of one's life and property to Him, patience, asceticism, remembrance of Allaah Y and all kinds of other acts [of worship]. And individual or community that participates in it, finds itself between two blissful outcomes: either victory and triumph or martyrdom and Paradise. [Thirdly,] all creatures must live and die.

Now, it is in Jihaad that one can live and die in ultimate happiness, both in this world and in the Hereafter. Abandoning it means losing entirely or partially both kinds of happiness. There are people who want to perform religious and temporal deeds full of hardship in spite of their lack of benefit, whereas actually Jihaad is religiously and temporally more beneficial than any other deed full of hardship. Other people [participate in it] out of a desire to make things easy

[30] Mustadrak al-Haakim – graded Saheeh

for themselves when death meets them, for the death of a martyr is easier than any other form of death. Infact, it is the best of all manners of dying.

Since lawful warfare is essentially Jihaad and since its aim is that the religion is entirely for Allaah Y [2:189, 8:39] and the word of Allaah Y is uppermost [9:40], therefore, according to all Muslims, those who stand in the way of this aim must be fought.

As for those who cannot offer resistance or cannot fight, such as women, children, monks, old people, the blind, handicapped and their likes, they shall not be killed, unless they actually fight with words [e.g. by propaganda] and acts [e.g. by spying or otherwise assisting in the warfare]. Some [jurists] are of the opinion that all of them may be killed, on the mere ground that they are unbelievers, but they make an exception for women and children since they constitute property for Muslims.

However, the first opinion is the correct one, because we may only fight those who fight us when we want to make the religion of Allaah Y victorious. Allaah Y, has said in this respect:

وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُقَاتِلُونَكُمْ وَلا تَعْتَدُوا إِنَّ اللَّهَ لا يُحِبُّ الْمُعْتَدِينَ (190)

"And fight in the way of Allaah those who fight you, but transgress not: Allaah loves not the transgressors."[31]

In the Sunan it is reported from the Messenger of Allaah ρ: *"That he once passed by a woman who had been slain. The Messenger of Allaah halted and said: 'She was not one who*

[23]Surah al-Baqarah: 190

would have fought.' Then he said to one of [his companions]: 'Catch up with Khaalid ibn al-Waleed and tell him not to kill women, children and serfs.'"[32]

It is also reported in the Sunan that he ρ used to say: *"Do not kill very old men, nor small children or women." The reason is that Allaah has [only] permitted to shed blood if that is necessary for the welfare of the creation. He has said:*

وَالْفِتْنَةُ أَشَدُّ مِنْ الْقَتْلِ

"Fitnah is more grievous than slaying."[33]

This means that, although there is evil and abomination in killing, there is greater evil and abomination in the persecution of the unbelievers. Now, the unbelief of those who do not hinder the Muslims from establishing the religion of Allaah Y is only prejudicial to themselves. In the same vein, the jurists have said that the one who propagates innovations (bid`aat) that are contrary to the Quraan and the Sunnah must be punished much more severely than the person [who holds such beliefs but] remains silent.

إن الخطيئة إذا أخفيت لم تضر إلا صاحبها و لكن إذا ظهرت فلم تنكر ضرت العامة

"A mistake that is kept secret," says a Tradition, *"only harms the person who has committed it, but if it becomes public and is not denounced, it harms the community."*[34]

The Shari'ah enjoins fighting the unbelievers, but not the killing of those who have been captured. If a male unbeliever is taken captive during warfare or otherwise, e.g. as a result of a shipwreck, or because he lost his way, or as a result of a

[32] Sunan Abu Dawood
[25] Surah al-Baqarah: 191
[34] Majmu'a az-Zawaaid of Haafidh al-Haythami

ruse, then the head of state (imaam) may do whatever he deems appropriate: killing him, enslaving him, releasing him or setting him free for a ransom consisting in either property or people. This is the view of most jurists and it is supported by the Quraan and the Sunnah.

There are, however, some jurists who hold that the options of releasing them or setting them free for a ransom have been abrogated. As for the People of the Book (Ahl ul-Kitaab)and the Zoroastrians (Majoos), they are to be fought until they become Muslims or pay the tribute (jizyah) out of hand and have been humbled. With regard to the others, the jurists differ as to the lawfulness of taking tribute from them. Most of them regard it as unlawful of taking tribute from them. Most of them regard it as unlawful to accept it from [heathen] Arabs.

If a rebellious group, although belonging to Islaam, refuses to comply with clear and universally accepted commands, all Muslims agree that Jihaad must be waged against them, in order that the religion will be for Allaah Y in totality. Thus Abu Bakr as-Siddeeq and other Companions ψ, have fought those who refused to pay zakaat. Initially some of the Companions hesitated in fighting them, but eventually they all agreed. 'Umar ibn al-Khattaab said to Abu Bakr, ψ:

"How can you fight these people? Has the Messenger of Allaah ρ, not said: *'I have been ordered to fight people until they profess that there is no Allaah and that Mohammad is Allaah's Messenger. If they say that, their lives and properties will be inviolable for me, unless there is a rule of law that allows taking them. [For their actions] they must render account to Allaah'* Abu Bakr then said: "The [obligation to pay] zakaat is such a rule. By Allaah, if they refuse to give me one she-kid which they used to give to the

Messenger of Allaah ρ, I shall fight them for this refusal." `Umar said: "Then I realized immediately that Allaah had opened his heart for fighting and I knew that that was right."[35]

There are various authentic Traditions according to which the Prophet ρ, has ordered to fight the Kharijites. In the Saheeh of al-Bukhaari as well as the Saheeh of Muslim it is reported on the authority of 'Alee ibn Abee Taalib τ, that he ρ said: "I have heard the Messenger of Allaah ρ (say)*: 'Towards the end of time a group will emerge, young of age and simple of minds, who will speak the most beautiful words, but whose faith does not go deeper than their throats. They will abandon the religion just like an arrow pierces and then abandons a game animal. Wherever you will find them you must kill them since those who kill them will be rewarded on the Day of Resurrection.'"*

Muslim has reported that `Alee τ: "I have heard the Messenger of Allaah, ρ: *'A group of people will emerge from amongst my community, who will recite the Quraan [very well]. Your recitation is nothing compared to theirs. Likewise your way of performing salaat and your way of fasting are nothing compared with theirs. They will recite the Quraan believing that it[s text] supports them, whereas [in reality] it condemns them. Their recitation does not go deeper than their collarbones. They will abandon the religion just like an arrow pierces and then abandons a game animal. If the army that reaches them would know how much [reward] the Prophet has promised them, they would rely on this deed [alone and not worry about other good deeds]."*

35 Saheeh al-Bukhaari

In another version of this Tradition, transmitted on the authority of Abu Sa`eed from the Prophet ρ we find the following words:

يَقْتُلُونَ أَهْلَ الإِسْلامِ وَيَدَعُونَ أَهْلَ الأَوْثَانِ لَئِنْ أَنَا أَدْرَكْتُهُمْ لأَقْتُلَنَّهُمْ قَتْلَ عَادٍ

"They will fight the people of faith and leave the idolaters. If I live long enough to meet them, I shall kill them in the manner the tribe of `Aad was killed." There is unanimity about the authenticity of this tradition.

In another Tradition reported by Muslim it is said:

تَكُونُ فِي أُمَّتِي فِرْقَتَانِ فَتَخْرُجُ مِنْ بَيْنِهِمَا مَارِقَةٌ يَلِي قَتْلَهُمْ أَوْلاهُمْ بِالْحَقِّ

"My community will fall apart into two parties. From [36]*. The party that is closest to truth will be in charge of killing them."*

These were the people that were killed by the Commander of the Faithful 'Alee τ, when the breach between the people of Iraq and the people of Syria took place. They were called *hurooriyyah*[37]. The Prophet ρ, has made it clear that both parties into which the community had fallen apart, belonged to his community and that the partisans of 'Alee were closer to the truth. He incited to fight only those heretics that had abandoned Islaam and had left the community and that had permitted the taking of the lives and properties of the other Muslims.

It has been established on the authority of the Quraan, the Sunnah, and the Consensus of the Community, that those who depart from the law of Islaam must be fought, even if they pronounce the two professions of faith.

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[36] Those who leave the religion

[37] This was a group from amongst the Khawaarij from the town of Huroora and they were the followers of Najdah al-Khaariji

The jurists disagree about the permissibility to fight rebellious groups that abandon an established supererogatory act of worship (Sunnah raatibah), such as the two [extra] rak`ahs of dawn prayer. There is, however, unanimity that it is allowed to fight people for [not observing] unambiguous and generally recognized obligations and prohibitions, until they undertake to perform the explicitly prescribed prayers, to pay zakaah, to fast during the month of Ramadaan, to make the pilgrimage to Makkah and to avoid what is prohibited, such a marrying women in spite of legal impediments, eating impure things, acting unlawfully against the lives and properties of Muslims and the like.

It is obligatory to take the initiative in fighting those people, as soon as the Prophet's summons with the reasons for which they are fought has reached them. But if they first attack the Muslims, then fighting them is even more urgent, as we have mentioned when dealing with the fighting against rebellious and aggressive bandits.

The most serious type of obligatory Jihaad is the one against the unbelievers and against those who refuse to abide by certain prescription of the Shari'ah, like those who refuse to pay zakaah, the Kharijites and the like. This Jihaad is obligatory if it is carried out on our initiative and also if it is waged as defence. If we take the initiative, it is a collective duty, [which means that] if it is fulfilled by a sufficient number [of Muslims], the obligation lapses for all others and the merit goes to those who have fulfilled it, just as Allaah Y has said:

لا يَسْتَوِي الْقَاعِدُونَ مِنْ الْمُؤْمِنِينَ غَيْرُ أُوْلِي الضَّرَرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنفُسِهِمْ عَلَى الْقَاعِدِينَ

دَرَجَةً وَكُلًّا وَعَدَ اللَّهُ الْحُسْنَى وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا (95) دَرَجَاتٍ مِنْهُ وَمَغْفِرَةً وَرَحْمَةً وَكَانَ اللَّهُ غَفُورًا رَحِيمًا (96)

"Such believers as sit at home - unless they have an injury - are not equals of the Mujahideen in the path of Allaah with their wealth and their lives. Allaah has preferred in rank the Mujahideen in the path of Allaah with their wealth and their lives over the ones who sit at home; yet to each Allaah has promised the reward most fair; and Allaah has preferred the Mujahideen over the ones who sit at home for the bounty of a mighty wage, in ranks standing before Him, forgiveness and mercy."[38]

But if the enemy wants to attack the Muslims, then repelling him becomes a duty for all those under attack and for the others to help them. Allaah Y says:

وَإِنْ اسْتَنصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ

"Yet if they seek your help for religion's sake, it is your duty to help them."[39]

In the same vein the Prophet ρ has ordered Muslims to help fellow Muslims. The assistance, which is obligatory both for the regular professional army and for others, must be given, according to everybody's possibilities, either in person, by fighting on foot or on horseback, or through financial contributions, be they small or large.

When the Muslims were attacked by the enemy in the year of the Trench, Allaah I did not permit anybody to abandon Jihaad, although He did allow them not to take part in Jihaad [after the siege was lifted [in order to pursue the enemy. At

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[38]Surah an-Nisaa: 95-96
[39] Surah al-Anfaal: 72

that occasion He divided them into two categories, those who sat at home and those who marched out, and He criticized those who were asking the Prophet for leave [not to take part in Jihaad]:

وَإِذْ قَالَتْ طَائِفَةٌ مِنْهُمْ يَاأَهْلَ يَثْرِبَ لا مُقَامَ لَكُمْ فَارْجِعُوا وَيَسْتَأْذِنُ فَرِيقٌ مِنْهُمْ النَّبِيَّ يَقُولُونَ إِنَّ بُيُوتَنَا عَوْرَةٌ وَمَا هِيَ بِعَوْرَةٍ إِنْ يُرِيدُونَ إِلا فِرَارًا (13)

"[And a part of them were asking leave of the Prophet,] saying, 'Our houses are exposed'; yet they were not exposed; they desired only to flee."[40]

So the latter [form of Jihaad] consists in defense of the religion, of things that are inviolable, and of lives. Therefore it is fighting out of necessity. The former [type of Jihaad], however, is voluntary fighting in order to propagate the religion, to make it triumph and to intimidate the enemy, such as was the case with the expedition to Tabuk and the like.

Now, this form of punishment [i.e. Jihaad] must be administered to rebellious people. As for inhabitants of the territory of Islaam who are not rebellious]but refuse to carry out religious duties], they must be forced to carry out their obligations such as the five fundamental duties of Islaam and others like the delivering of trusts to their owners and the preserving of covenants in social relations.

[40] Surah al-Ahzaab: 13